

Remarks

Claims 1 – 3, 5-9, 11, 12, 28 and 29 are pending. Claims 4 and 10 are to be canceled by this Amendment.

Drawings:

The drawings were objected to under 37 CFR 1.83(a) for not showing the "postage paid mail item" (claims 4 and 10) and the splay structure (claims 5 and 11). Claims 4 and 10 have been canceled. It is submitted that the proposed drawing submitted on February 19, 2004 shows the splay structure 44.

Claim Rejections 35 USC 112

Claims 4 and 10 were rejected under 35 USC 112. While the applicant disagrees with the rejections, claims 4 and 10 have been canceled in order to expedite the issuance of a patent.

Claim Rejections 35 USC 103

Claims 1-3, 5-9, 11-12 and 28-29 were rejected under 35 USC 103(a) as being unpatentable over Soderstrom in view of Schwartz'589.

The independent claims have been amended to include the limitation of "wherein one of the forward edges is shaped substantially similar to the configured leading edge of the partition whereby the configured leading edge of the partition and one of the forward edges of the folder device are generally adjacent along a substantial portion of the configured leading edge."

It is submitted that the combination of Soderstrom and Schwartz '589 would fail to yield such a limitation. Applicant has found that the adjacency of the forward edges of the folder devices and the partitions is particularly important to minimize mis-insertion of mail items into the folder device during a sorting operation. Importantly, there is no suggestion or teaching to provide such a relationship between edges of the folder devices and the forward edges of the partitions. There is no teaching in the prior art to configure one of the edges of a folder device substantially similar to the partitions of the sort machine while the other edge is at a substantially greater height above the partition edge.

Reconsideration of these rejections is requested.

Should the Examiner wish to discuss this application further, please contact the Assignee's attorney at the telephone number provided below.

Respectfully submitted,
Lance Anderson, by his attorneys

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